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12 Attorneys for Defendants
13 Tesla, Inc. and Elon Musk

14 **IN THE UNITED STATES DISTRICT COURT**
15 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**
16

17 ALCON ENTERTAINMENT, LLC
18 a Delaware Limited Liability Company,

19 Plaintiff,

20 v.

21
22 TESLA, INC., a Texas Corporation;
ELON MUSK, an individual;
23 WARNER BROS. DISCOVERY,
24 INC., a Delaware Corporation,

25 Defendants.
26

Case No. 2:24-cv-09033-GW-RAO

**DEFENDANTS TESLA, INC. AND
ELON MUSK'S NOTICE OF
MOTION TO DISMISS**

District Judge: Hon. George H. Wu
Magistrate Judge: Rozella A. Oliver

Hearing Date: March 6, 2025
Hearing Time: 8:30 a.m.
Courtroom: 9D
Judge: Hon. George H. Wu

1 TO PLAINTIFF AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE THAT on March 6, 2025 at 8:30 a.m., or as soon
3 thereafter as the matter may be heard in the United States District Court, Central
4 District of California, Western Division, 350 West 1st Street, Los Angeles, California
5 90012, Courtroom 9D, 9th Floor, before the Honorable George H. Wu, Defendants
6 Tesla, Inc. and Elon Musk will move, and hereby do move, to dismiss all claims for
7 relief in the Complaint with prejudice.

8 This motion is made pursuant to Fed. R. Civ. P. 12(b)(6) and the Local Rules
9 applicable thereto. This motion is based on this notice of motion and motion, the
10 accompanying memorandum of points and authorities, the declaration of Christopher
11 S. Marchese in support of the motion and accompanying exhibits, the pleadings on
12 file in this action, and on such other written or oral argument or evidence as may be
13 presented at or before the time this motion is taken under submission.

14 This motion is made following the conference of counsel pursuant to Local
15 Rule 7-3, which took place on January 24, 2025. Plaintiff confirmed it will oppose
16 the motion.

1 Dated: February 4, 2025

FISH & RICHARDSON P.C.

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3 By: /s/ Christopher S. Marchese

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